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CLERK OF DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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**Attorney for Plaintiff**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

**E. K. Wade**

**Plaintiff,**

**vs.**

**Elaine Chao, Secretary of Labor  
U.S. Department of Labor, et al,  
Office of Public Defender; and AFGE;**

**Defendants.**

**Case Nos. C 08-00021 MEJ; C 08-0001  
EMC; C 07-05257 MHP; and C 06-4751  
MEJ**

**NOTICE OF UNAVAILABILITY:**

**To Honorable Judges MEJ, EMC, and MHP, UNITED STATES ATTORNEYS, and  
AFGE:**

Plaintiff will be unavailable from January 16, 2008 to February 16, 2008 as he  
recovers from surgery scheduled for January 16, 2008 at Kaiser Permanente in Walnut  
Creek. After surgery, Plaintiff will be placed in a skilled nursing facility somewhere in  
Antioch, California,

1 Respectfully submitted

2 Dated this 14<sup>th</sup> day of January 2008

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